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5 Attorneys for Defendants and Counterclaimant
Yerba Buena Engineering & Construction, Inc., and
6 Travelers Casualty and Surety Company of America

7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA

9 UNITED STATES OF AMERICA, for the use)
10 of AAA RESTAURANT FIRE CONTROL,)
INC., doing business as AAA FIRE)
11 PROTECTION SERVICES; and AAA)
RESTAURANT FIRE CONTROL, INC.,)

12 Plaintiff,

13 vs.

14 YERBA BUENA ENGINEERING &
CONSTRUCTION, INC., a California
15 corporation; TRAVELERS CASUALTY AND
SURETY COMPANY OF AMERICA, a
16 Connecticut corporation; and DOES 1 TO 100,
inclusive,

17 Defendants.

18 YERBA BUENA ENGINEERING &
19 CONSTRUCTION, INC., a California
corporation; and TRAVELERS CASUALTY
20 AND SURETY COMPANY OF AMERICA,

21 Counterclaimants,

22 vs.

23 UNITED STATES OF AMERICA, for the use)
of AAA RESTAURANT FIRE CONTROL,)
24 INC., doing business as AAA FIRE
PROTECTION SERVICES; and AAA)
25 RESTAURANT FIRE CONTROL, INC.)

26 Counterdefendant.
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Case No. CV 07 5912 WDB

**JOINT CASE MANAGEMENT
CONFERENCE STATEMENT**

CMC Hearing Date: August 5, 2008

Time: 4:00 p.m.

Courtroom: 4, Oakland

Hon. Wayne D. Brazil, Presiding

1 Defendants and counterclaimants Yerba Buena Engineering & Construction, Inc.
2 ("Yerba Buena") and Travelers Casualty and Surety Company of America ("Travelers"), and
3 plaintiff and counterdefendant AAA Restaurant Fire Control, Inc. submit this Joint Case
4 Management Conference Statement pursuant to Local Rule 16-9.

5 **Private Mediation**

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7 During the last case management conference, the parties advised the Court that they had
8 agreed upon private mediation which would take place during the second week of July. The
9 parties have since, exchanged documents and conferred on a time schedule to conduct limited
10 discovery in preparation of mediation. To facilitate settlement, the parties have agreed that a
11 brief continuance of the mediation hearing would benefit the process by allowing the parties
12 adequate time to prepare for the mediation and participate in good faith. As such, the
13 mediation before Michael Timpaine has been reset to September 10, 2008.

14 **Request for Continuation of 8.5.08 Case Management Conference**

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16 The mediation hearing date is September 10, 2008. The parties jointly request that the
17 Court continue the Case Management Conference currently set for August 5, 2008, for a period
18 of at least 60 days to allow the mediation to be completed and the parties to report the status of
19 the matter to the Court.

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21 DATED: July 31, 2008

McINERNEY & DILLON, P.C.

22
23 By _____/S/_____
24 Neil H. Bui
25 Attorneys for Defendants and Counterclaimant
26 Yerba Buena Engineering & Construction, Inc.,
27 and Travelers Casualty and Surety Company of
28 America

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2 DATED: August 4, 2008
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4 By _____/S/_____
5 Lawrence E. Smith
6 Attorneys for Plaintiff United States of America
7 for use of AAA Restaurant Fire Protection
8 Services, Inc.
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